

CARLYON CICA CHTD.  
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**CARLYON CICA CHTD.**

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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

CASH CLOUD, INC.,  
dba COIN CLOUD,

Debtor.

Case No.: Case No. BK-S-23-10423-MKN

Chapter 11

**SUPPLEMENTAL DECLARATION  
OF DAWN M. CICA, ESQ. IN  
SUPPORT OF EX PARTE  
APPLICATION FOR ORDER  
SHORTENING TIME TO HEAR  
MOTION TO CONVERT CASE TO  
CHAPTER 7**

Hearing Date: OST REQUESTED

Hearing Time: OST REQUESTED

I, DAWN M. CICA, ESQ., hereby declare as follows:

1. I am an attorney licensed to practice law in the State of Nevada, and I am a principal of the law firm of Carlyon Cica Chtd., counsel for Chris McAlary (“McAlary”).

2. I make this declaration in support of *Ex Parte Application for Order Shortening Time to Hear the Motion to Convert Case to Chapter 7* (the “Application”).

3. This Declaration is based upon my personal knowledge, and if called to testify thereto, I could and would competently do so under oath.

4. I had ongoing settlement conversations with Debtor’s counsel regarding the estate’s claims asserted against Mr. McAlary in the July 28, 2023 letter, including forwarding

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1 a draft asset purchase agreement to the Debtor on August 1, 2023 to purchase all of the  
2 remaining claims of the estate which included the claims asserted against Cole Kepro and Mr.  
3 McAlary. Subsequent thereto it was my belief that Debtor's counsel and I had agreed that  
4 Debtor's counsel would approach counsel for the Committee to suggest a settlement  
5 conference. The Committee has no standing to resolve the estate's claims, which was even  
6 more clearly the case prior the filing of the *Stipulation Granting Derivative Standing to the*  
7 *Official Committee of Unsecured Creditors with Respect to Certain Actions* [ECF No. 1009]  
8 (the "Stipulation") on August 3, which Mr. McAlary has opposed. Mr. McAlary's written  
9 response to the allegations in the Committee's letter was provided to the Committee today, less  
10 than two business days after the Stipulation was entered on the docket. A request was made  
11 for a settlement conference.

12 5. I hereby declare under the penalty of perjury that the foregoing is true and  
13 correct to the best of my knowledge, information and belief.

14 DATED this 8<sup>th</sup> day of August 2023.

15  
16 /s/ Dawn M. Cica  
17 DAWN M. CICA, ESQ.  
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**CERTIFICATE OF SERVICE**

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Nancy Arceneaux  
An employee of  
Carlyon Cica Chtd.

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